

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO**

CARLOS GARCIA PEREZ, ET AL,

Plaintiffs,

vs.

DR. ALVARO SANTAELLA, ET ALS,

Defendants

CIVIL NO. 97-1703 (JAG/ADC)

**PLAINTIFFS DEMAND
TRIAL BY JURY**

**JOINT STIPULATION FOR VOLUNTARY DISMISSAL
OF ALL CLAIMS WITH PREJUDICE**

TO THE HONORABLE COURT:

Come now Plaintiffs, Carlos García Pérez, Gisela Baerga Torres, individually and on behalf of the García - Baerga Conjugal Partnership, and in representation of their minor child, Carla Isabel García Baerga, and also in representation of the Estates of Maria Genesis García Baerga, Ana Carolina García Baerga and Adrianna Maria García Baerga, and Defendants, Dr. Alvaro Santaella, Dr. Adel Vargas Rodríguez, Dr. Iván Terón Mendez, Dr. Amaury Vélez Torres, Dr. Mildred Quiñones, Dr. Alberto de la Vega and their Insurer, Sindicato de Aseguradores Para La Suscripción Conjunta de Seguros de Responsibilidad Profesional Médico Hospitalaria, hereinafter SIMED; Dr. Maria T. Casado García and her Insurer, the Guaranty Association of Miscellaneous Insurance, and Ashford Presbyterian Community Hospital and it's Insurer, American International Insurance Company of Puerto Rico, Inc., hereinafter referred to as AIICO. The Plaintiffs and Defendants will hereinafter be referred to collectively as the Parties, and respectfully state and pray as follows:

1. That all Parties that have appeared in the captioned case have agreed to stipulate the

voluntary dismissal with prejudice of the Complaint filed by Plaintiffs and all claims, cross claims and/or third party claims that may exist between the Parties.

2. In light of the aforementioned situation, the Parties hereby inform this Honorable Court that they stipulate and agree to the voluntary dismissal of all claims, cross claims and/or third party claims, with prejudice, in accordance with the provisions of Rule 41(a)(1)(ii) of the Federal Rules of Civil Procedure.

3. The Parties also represent that they have reviewed the present Joint Motion for Voluntary Dismissal, agree with the content of the same, and consent that the same be filed on behalf of all Parties by Plaintiffs attorney, Andres Guillemard-Noble.

WHEREFORE, it is respectfully request that the Honorable Court take notice of this Joint Stipulation for Voluntary Dismissal of all claims, and enter judgment of voluntary dismissal with prejudice of all claims, cross claims and/or third party claims asserted and/or which may exist between the Parties.

RESPECTFULLY SUBMITTED, in San Juan, Puerto Rico, this 23rd day of June, 2005.

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